

Message Text

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ACTION OES-07

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UNCLAS SAN JOSE 1857

GENEVA PASS AMBASSADOR CLINGAN, LOS DEL

E.O. 11652: N/A
TAGS: EFIS, CS
SUBJECT: REACTION TO RELEASE OF U.S. TUNA BOATS

REF: SAN JOSE 1820

1. RELEASE OF CAPTURED TUNA BOATS AND FOREIGN MINISTER'S
STRONG PUBLIC STANCE RE LEGALITY OF TUNA FISHING BY IATTC
FLAG VESSELS IN COSTA RICAN 200 MILE ECONOMIC ZONE (SEE
REFTEL) HAVE ENGENDERED CONSIDERABLE DOMESTIC CRITICISM.

2. DURING THE EVENING APRIL 25 PLENARY SESSION OF THE
LEGISLATIVE ASSEMBLY, DEPUTY (AND MINPUBSEC-DESIGNATE)
ECHEVARRIA PROPOSED A MOTION REQUESTING THAT EXECUTIVE
BRANCH NOT RELEASE THE SEIZED TUNA BOATS UNTIL FONMIN FACIO
PRESENTED SATISFACTORY TESTIMONY TO THE ASSEMBLY AS TO WHY
THE BOATS SHOULD BE RELEASED. ECHEVERRIA TOOK POSITION
THAT BOATS WERE CAPTURED IN ACCORD WITH COSTA RICAN LAW
AND THAT TO RELEASE BOATS NOW WOULD SIGNIFY A DESPOLI-
ATION OF THE NATIONAL PATRIMONY. MOTION WAS STILL
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BEING DISCUSSED WHEN, AT 10:45 P.M., ASSEMBLY WAS
INFORMED THAT BOATS HAD DEPARTED FROM PUNTARENAS.
ECHEVERRIA WITHDREW HIS MOTION, STATING THAT HE WOULD
DEMAND A FULL EXPLANATION AS TO WHO HAD ORDERED THE
RELEASE AND ON WHAT GROUNDS.

3. RAUL CANESSA, WHO HAS SERVED AS ADVISOR TO GOCR

DELEGATIONS TO IATTC MEETINGS, CRITICIZED FONMIN'S STANCE PUBLICLY, STATING THAT FACIO DECLARATION OMITTED ANY MENTION OF LAW 5775 AND ITS IMPLEMENTING REGULATION, DECREE 5339 A-RE, THE LATTER HAVING BEEN SIGNED BY FACIO. THESE, ACCORDING TO CANESSA, MAKE CLEAR THAT FOREIGN FLAG TUNA BOATS WISHING TO FISH IN THE 200 MILE PATRIMONIAL SEA MUST REGISTER WITH GOCR AND OBTAIN A FISHING PERMIT. CANESSA ASSERTED THAT IATTC OBLIGATIONS DID NOT PREVENT MEMBER NATIONS FROM REGULATING FISHERIES IN THEIR OWN WATERS AND THUS COSTA RICA WAS NOT VIOLATING ANY IATTC OBLIGATIONS BY REQUIRING REGISTRY AND FISHING PERMIT FEES.

4. ON APRIL 26 PRESIDENT-ELECT CARAZO ISSUED STATEMENT DESCRIBING IATTC AS AN ANACHRONISM AND PROMISING THAT HIS ADMINISTRATION WOULD ATTEMPT TO WITHDRAW FROM IATTC TREATY. (IN CONVERSATION WITH EMBOFF, MINPUBSEC-DESIGNATE ECHEVERRIA ECHOED STATEMENT OF CARAZO; EMBOFF POINTED OUT CONSERVATION IMPORTANCE OF IATTC, TO RESTRAIN OVER-FISHING OF TUNA BY U.S. AS WELL AS OTHER FLAG BOATS.) IN PUBLIC RESPONSE TO CARAZO STATEMENT, FONMIN FACIO STATED THAT AT SEPTEMBER 1977 IATTC MEETING GOCR HAD DENOUNCED THE IATTC CONVENTION AND THAT WITHDRAWAL WOULD BECOME EFFECTIVE ONE YEAR AFTER DENUNCIATION.

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5. MOST EDITORIAL REACTION WAS ALSO CRITICAL WITH APRIL 25 "LA PRENSA LIBRARZ COMMENTING THAT "THE CAPTAINS OF THE CAPTURED PIRATE BOATS DEFEND THEMSELVES BY SAYING THAT IATTC GAVE THEM PERMISSION (TO FISH). WE WOULD LIKE TO SEE OUR WITHDRAWAL FROM THIS FAMOUS IATTC, SO THAT WE MIGHT FEEL OWNERS OF OUR OWN TERRITORY..." AN APRIL 26 "LA REPUBLICA" EDITORIAL COMPARED THE CAPTURED BOATS TO "MARITIME VESCOS," AND CASTIGATED TICOS FOR BEING "PLACID" BEFORE "THE PERMANENT LOSS OF OUR MARITIME RESOURCES". "WHATEVER MAY BE, IT IS CERTAIN THAT OUR SEAS ARE VAST, OPEN FIELDS IN WHICH PIRATE BOATS MAY OPERATE, SNATCHING OUR PRODUCTS FROM IN FRONT OF OUR VERY NOSES. THIS CANNOT CONTINUE. WE ARE A POOR COUNTRY WHICH MUST DEFEND...ITS DECREASING NATURAL RESOURCES." IN CONTRAST, HOWEVER, LEADING DAILY "LA NACION'S" APRIL 26 EDITORIAL PLACED THE BLAME FOR THE INCIDENT ON A LACK OF INTER-GOVERNMENTAL COORDINATION AND BASIC PREPARATION.", BEFORE UNDERTAKING ENFORCEMENT ACTIONS.

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